

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE: CRUDE OIL COMMODITY  
FUTURES LITIGATION

THIS DOCUMENT RELATES TO:  
ALL ACTIONS

ECF CASE

Master File No.  
11 cv 3600 (WHP)

**NOTICE OF MOTION TO DISMISS  
THE CONSOLIDATED AMENDED  
CLASS ACTION COMPLAINT**

PLEASE TAKE NOTICE THAT upon the accompanying Memorandum of Law and Declaration of Timothy J. Carey, dated August 7, 2012, along with the exhibits attached thereto, Defendants Parnon Energy Inc., Arcadia Petroleum Ltd., Arcadia Energy (Suisse) SA, Nicholas J. Wildgoose and James T. Dyer, will move this Court, before the Honorable William H. Pauley III at Room 11D, United States Courthouse, Southern District of New York, 500 Pearl Street, New York, New York, at a date and time determined by the Court, for an Order dismissing Plaintiffs' Consolidated Amended Class Action Complaint in its entirety for failure to state a claim on which relief can be granted pursuant to Federal Rules of Civil Procedure 8 and 12(b)(6), and for such other relief as the Court may deem just and proper.

Dated: August 7, 2012

Respectfully submitted,

By: /s/ Timothy J. Carey  
Timothy J. Carey  
Elizabeth M. Bradshaw  
Brigitte T. Kocheny  
WINSTON & STRAWN LLP  
35 West Wacker Drive  
Chicago, Illinois 60601  
(312) 558-5600  
Fax: (312) 558-5700

Thomas J. Quigley  
WINSTON & STRAWN LLP  
200 Park Avenue  
New York, New York 10166  
(212) 294-6700  
Fax: (212) 294-4700

Fred F. Fielding  
Mark R. Haskell  
Levi McAllister  
MORGAN LEWIS  
1111 Pennsylvania Ave., NW  
Washington, DC 20004  
(202) 739-3000  
Fax: 202 739-3001

*Attorneys for Defendants Parnon Energy Inc.,  
Arcadia Petroleum Ltd., Arcadia Energy  
(Suisse) SA, Nicholas J. Wildgoose and James  
T. Dyer*